

Application No. 10/074,015
Attorney Docket 2001-40081US (UDA.01)

REMARKS

Entry of this Amendment is proper because it narrows the issues on appeal and does not require further search by the Examiner.

Claims 1-88 are all the claims presently pending in the application. By this Amendment, claims 20-21 and 27-28 are amended. The amendments introduce no new matter. Applicant gratefully acknowledges Examiner's indication that claims 22-23 would be allowable if rewritten in independent format, and that claims 1-19, 24-26, and 29-88 are allowed. However, for at least the reasons discussed below, Applicant believes that all of the claims herein are allowable.

It is noted that the claim amendments, if any, are made only to assure grammatical and idiomatic English and improved form under United States patent practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the allowed claim.

Claims 20-21 and 27-28 stand rejected under 35 U.S.C. §102(e) over Lauffenburger, et al. (US 6,661,774).

This rejection is respectfully traversed in the following discussion.

THE CLAIMED INVENTION

The claimed invention, as exemplarily defined by independent claim 20, is directed to a virtual output queuing (VOQ) controlling device in, for example, an input buffering switch with a virtual output queuing technique and an input buffering switch.

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A specialized class for only a constant bit rate (CBR) traffic and a connection request generation section makes a connection request for a switch scheduler, which can execute three-step priority control. The connection request generation section makes connection request of the specialized class for only a CBR traffic prior to the connection request of the other classes for the switch scheduler. As defined by claim 21 the virtual output queuing controlling device is in an input buffering switch with a virtual output queuing technique and an input buffering switch, includes a first specialized class for only CBR traffic, a cell read-out controlling section that reads out the cells from each of the classes, and a connection request generation section that makes connection request for a switch scheduler, which can execute two-step priority control, when the connection request generation section receives a connection request from the switch scheduler, the cell read-out controlling section reads out the cells from the first class prior to the second class.

In a conventional packet switch, it is impossible to simultaneously realize a CBR service, which requires simultaneously guaranteed bandwidth and delay properties, and the minimum bandwidth guarantee-type service. This is, first, because of competition among the input interfaces, and second, because of competition among classes within the input interface.

The claimed invention, on the other hand, provides a VOQ controlling device that provides the CBR service together with the minimum bandwidth guarantee-type service in the input buffering switch with the VOQ technique.

THE PRIOR ART REJECTION

The Lauffenburger Reference

The Examiner alleges that Lauffenburger teaches the claimed invention described in

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claims 20, 21, 27, and 28. Applicant submits, however, that there are elements of the claimed invention, which are neither taught nor suggested by Lauffenburger.

Although Applicant strenuously disagrees with the Examiner's reasoning, the claims are amended in accord with the Examiner's suggestion in an effort to expedite prosecution.

With regard to independent claim 20, Lauffenburger fails to disclose or suggest at least, "A virtual output queuing controlling device in an input buffering switch with a virtual output queuing technique, comprising: a specialized class for only a CBR traffic; and a connection request generation section that makes a connection request for a switch scheduler, which can execute a three-step priority control, characterized in that said connection request generation section makes the connection request of said specialized class for only a CBR traffic prior to the connection request of the other classes for said switch scheduler", as recited in the claim. Claim 27 recites similar features.

Applicant maintains the arguments of the Amendment filed December 20, 2007.

The Examiner alleges that, "*In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the CBR traffic is unique, or the only high traffic, or that CBR traffic is treated differently from other high priority traffic) are not recited in the rejected claim(s).*"

Office Action, p. 3.

Applicant submits that the claimed feature clearly recited that CBR traffic is treated differently from all other traffic. However, in an effort to expedite prosecution, the claims are amended hereby to more clearly recite this feature.

Applicant submits that there are elements of the claimed invention that are not taught or suggested by Lauffenburger. Therefore, Applicant respectfully requests the Examiner to

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reconsider and withdraw the rejection of claims 20-21 and 27-28 over Lauffenburger.

**Applicant respectfully requests the Examiner to reconsider and withdraw the objection to
claims 22-23.**

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CONCLUSION

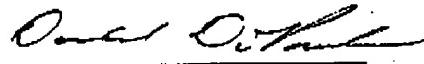
In view of the foregoing, Applicant submits that claims 1-88, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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